

REMARKS

In the Office Action, the Examiner rejected claims 1-10, 12-46, 48, and 50. By the present Response, Applicant has amended claims 13-18 and 37, added new claims 52 and 53, and canceled claim 12 without prejudice. Upon entry of the amendments, claims 1-10, 13-20-46, 48, 50, 52, and 53 will be pending in the present patent application. In light of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Rejections Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected 1-10, 13-17, 20-31, 33-42, 44-46, 48, and 50 under Section 102 as anticipated by various reference, as discussed further below. Applicant respectfully traverses the rejections. In summary Applicant, respectfully asserts that the cited references do not disclose all of the features recited in the instant claims.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the *identical* invention “in as complete detail as contained in the ... claim” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicant needs only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. Additionally, for anticipation, the cited reference must not only disclose all of the recited features but must also disclose the part-to-part relationships between these features. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 486 (Fed. Cir. 1984).

Furthermore, Applicant reminds the Examiner that, during patent examination, the pending claims must be given an interpretation that is reasonable and consistent with the specification. See *In re Prater*, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); see also *In re Morris*, 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997); see also M.P.E.P. §§ 608.01(o) and 2111. Interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. See *In re Cortright*, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); see also M.P.E.P. § 2111. That is, recitations of a claim must be read as they would be interpreted by those of ordinary skill in the art. See *Rexnord Corp. v. Laitram Corp.*, 60 U.S.P.Q.2d 1851, 1854 (Fed. Cir. 2001); see also M.P.E.P. § 2111.01. Keeping the foregoing in mind, Applicant respectfully asserts that the instant claims are not anticipated by the cited references and, as such, are patentable and in condition for allowance.

First Rejection Under Section 102

In the Office Action, the Examiner rejected claims 1-10, 13-17, 20-31, 33-42, 44-46, 48, and 50 under 35 U.S.C. § 102(b) as anticipated by the Hill, III reference (U.S. Patent No. 5,646,819; hereinafter "Hill"). Applicant respectfully disagrees with the Examiners contentions and assertions. Furthermore, Applicant respectfully asserts that Hill does not anticipate independent claims 1, 21, 37, and 46.

Amended Independent Claim 1 and the Claims Depending Therefrom

Amended independent claim 1 recites:

A space saving system, comprising:

a personal computer including a housing having a plurality of computing components disposed therein and having a wall mount structure configured to mount the

housing on a substantially vertical surface and a display immovably secured to the housing.

(Emphasis added.) Applicant respectfully asserts that Hill does not disclose all of the above-quoted features, particularly those highlighted above.

Prior to addressing the deficiencies of Hill, Applicant reiterates that a *prima facie* case of anticipation requires that the Examiner present a reference that not only includes all of the claimed elements, but a reference that also presents all of the claimed relationships between the various elements. See *Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, it is not sufficient to reject the instant claim by simply presenting a reference that discloses a personal computer, a housing, and a wall mount structure in a disjointed manner. Rather, the Examiner must present a reference that discloses a personal computer including a housing having a wall mount structure, as is recited in claim 1. That is, the Examiner must address the all of the elements of the claim as well as all of the structural relationships therebetween.

With this in mind, Applicant respectfully asserts that Hill does not disclose a personal computer that includes a housing having a wall mount structure for mounting the housing on a substantially vertical surface, as recited in claim 1. Rather, Hill discloses a kitchen cabinet 10 that can receive a complete and independent "note-type" computer that lacks any semblance of a mounting structure. See generally Hill, col. 1, ll. 32-46; FIG. 2. In other words, Hill uses a preexisting fixture, i.e., the kitchen cabinet 10, to mount the "note-type" computer. Without this fixture, the "note-type" computer can only be rested on a table, counter, or the like. Thus, the Hill kitchen cabinet 10 cannot be considered an included part of the disclosed computer 31 and, as such, cannot be anticipatory of the personal computer recited in claim 1.

Within Hill, traditional notebook and notepad computers are referred to as “note-type” computers. *See id.* at col. 1, ll. 38-40. These “note-type” computers are operable independent of the kitchen cabinet 10. *See id.* at col. 1, ll. 19-30. Indeed, Hill makes clear that notebook and notepad computers may be used at any number of locations, such as a kitchen countertop or kitchen table. *See id.* Accordingly, this portable operability establishes that the Hill “note-type” computer includes a housing that is wholly independent of the kitchen cabinet 10. As is best illustrated in FIG. 4 of Hill, the “note-type” computer 31 clearly presents its own enclosure or housing inside of which the various components are disposed. Thus, the kitchen cabinet 10 of Hill is not an included part of the personal or “note-type” computer 31. In other words, the “note-type” computer of Hill does not include the kitchen cabinet 10, rather the computer 31 clearly has its own housing independent of the kitchen cabinet.

Additionally, Applicant respectfully asserts that one of ordinary skill in the art would not reasonably consider the independent kitchen cabinet 10 of Hill as an included part of a personal computer. Indeed, Hill makes clear that the cabinet 10 is nothing more than “conventional kitchen cabinet usually composed of wood.” *See Hill*, col. 1, l. 67. Thus, it is only the Examiner’s unreasonable interpretation of the claimed housing that enables the kitchen cabinet of Hill to be anticipatory of a personal computer that includes a housing, as recited in claim 1.

Furthermore, even if, *arguendo*, the kitchen cabinet of Hill equates with the claimed housing, Hill still fails to disclose a display that is immovably secured to the housing, as recited in claim 1. Rather, the “note-type” computer of Hill is designed to be “easily lifted” and separated from the kitchen cabinet 10, establishing that the Hill “note-type” computer 31 is movable. *See Hill*, col. 3, ll. 19-21. Hill discloses that the “note-type” computer 31 is disposed in a pocket-shaped support 32. *See id.* at col. 3, ll. 6-10. Additionally, Hill discloses that the “note-type” computer 31 may be supported through

the use of brackets 62. *See id.* at col. 3, ll. 15-18. However, with respect to each of these mounting structures, Hill makes clear that the “note-type” computer 31 may be “easily lifted” out of the supports so as to be usable in other locations.” *See id.* at col. 3, ll. 19-21 (emphasis added). Accordingly, Hill teaches the need for a releasable mounting structure for the display with respect to the alleged housing. As such, Hill discloses an assembly that is antithetical to the claimed subject matter and that cannot anticipate claim 1.

Therefore, Applicant respectfully asserts that independent claim 1 and its respective dependent claims 2-10 and 13-20 are not anticipated by the Hill reference. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 1-10 and 13-20.

Independent Claim 21 and the Claims Depending Therefrom

Independent claim 21 recites:

A computing apparatus, comprising:

a personal computer, comprising:

a housing comprising a display, a plurality of computing devices disposed in the housing, and an upright surface mount configured to mount the housing to a substantially upright surface.

(Emphasis added.) Applicant respectfully asserts that Hill does not disclose all of the above-quoted features, particularly those highlighted above.

As discussed above, the Examiner must consider not only the elements recited in a claim but must also consider the structural relationships between the elements when presenting an anticipation rejection. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, claim 21 cannot be anticipated without presenting a reference in which a personal computer

includes a housing that has the various elements and structural relationships recited in the instant claim.

With this in mind, Applicant respectfully asserts that Hill does not disclose the personal computer comprising a housing and an upright surface mount as recited in the instant claim. Rather, as discussed above, the kitchen cabinet 10 of Hill is wholly independent of the disclosed "note-type" computer 31 and, as such, cannot be considered part of the claimed computer. *See generally* Hill, col. 1, ll. 32-46; FIG. 2. Again, the "note-type" computer 31 of Hill, because of its portable operability, includes its own housing independent of the kitchen cabinet. Indeed, the housing of the Hill "note-type" computer 31 lacks any mechanism for mounting to any surface. Moreover, it is not reasonable to equate the independent cabinet of Hill with the housing of a personal computer. Thus, Hill does not disclose a personal computer comprising a housing and an upright surface mount as recited in the instant claim.

Therefore, Applicant respectfully asserts that Hill does not anticipate independent claim 21 and its respective dependent claims 22-36. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 21-36.

Amended Independent Claim 37 and the Claims Depending Therefrom

Amended independent claim 37 recites as follows:

A computer system, comprising:

a personal computer having a computer enclosure defining a volume, comprising:

a display screen disposed in the volume; and

a plurality of computing components disposed in the volume, wherein the computer enclosure includes a surface mount configured to mount the computer enclosure to a wall.

(Emphasis added.) Applicant respectfully asserts that Hill does not disclose these features.

As discussed above, the Examiner must consider not only the elements recited in a claim but must also consider the structural relationships between the elements when presenting an anticipation rejection. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, claim 37 cannot be anticipated without presenting a reference in which a personal computer has a computer enclosure that comprises a surface mount, as recited in the instant claim.

With this in mind, Applicant respectfully asserts that Hill does not disclose the personal computer comprising a computer enclosure comprising a surface mount as recited in the instant claim. Rather, as discussed above, the kitchen cabinet 10 of Hill is wholly independent of the disclosed "note-type" computer 31 and, as such, cannot be considered part of the claimed computer. *See generally* Hill, col. 1, ll. 32-46; FIG. 2. Rather, the portable nature of the Hill device establishes that the "note-type" computer 31 presents its own housing independent of the cabinet 10. *See id.* at col. 1, ll. 37-40; FIG. 1. Again, the housing of the Hill "note-type" computer 31 lacks any mechanism for mounting to any surface. Moreover, it is not reasonable to equate the independent cabinet 10 of Hill with a computer enclosure of a personal computer. Thus, Hill does not disclose a personal computer comprising a computer enclosure comprising surface mount as recited in the instant claim.

Therefore, Applicant respectfully asserts that Hill does not anticipate amended independent claim 37 and its respective dependent claims 38-45. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 37-45.

Independent Claim 46 and the Claim Depending Therefrom

Independent claim 46 recites:

A space saving method for a computing system,
comprising:

integrating a display assembly with a plurality of
computing components in a panel enclosure of a personal
computer, such that the panel enclosure includes a vertical
surface mount.

(Emphasis added.) Applicant respectfully asserts that the Hill reference does not disclose these features.

As discussed above, the Examiner must consider not only the elements recited in a claim but must also consider the structural relationships between the elements when presenting an anticipation rejection. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, claim 46 cannot be anticipated without presenting a reference that discloses the act of integrating a display in a panel enclosure of a personal computer that includes a vertical surface mount, as recited in the instant claim.

With this in mind, Applicant respectfully asserts that Hill does not disclose the act of integration as recited in the instant claim. Rather, as discussed above, the kitchen cabinet of Hill is wholly independent of the disclosed “note-type” computer 31 and, as such, cannot be considered part of the claimed computer. *See generally* Hill, col. 1, ll. 32-46; FIG. 2. Again, Hill focuses on attempting to address a deficiency found in traditional “note-type” computers: they cannot be mounted, by employing an independent kitchen cabinet 10. *See id.* at col. 1, ll. 37-40; FIG. 1. Indeed, the housing of the Hill “note-type” computer 31 lacks a mechanism for mounting to any surface. Thus, Hill does not disclose the act of integrating a panel enclosure that includes a vertical surface mount, as recited in the instant claim.

Therefore, Applicant respectfully asserts that Hill does not anticipate independent claim 46 and its respective dependent claims 48 and 50. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 46, 48, and 50.

Second Rejection Under Section 102

In the Office Action, the Examiner rejected claims 1-10, 13-17, 20-31, 33-42, 44-46, 48 and 50 under 35 U.S.C. § 102(b) as anticipated by the Chang reference (U.S. Patent No. 5,831,817; hereinafter "Chang"). In rejecting these claims, the Examiner stated:

Chang disclosed (Fig. 1A, 1B, 3A, 3B, 4A, 4B) a precisely identical wall mounted computer (a space saving system) as recited in the claims, including receptacles for modular computer component (12, 14) and an angle adjustment assembly (34) for a display. Also, a processor, a motherboard, a port, a software, and a data storage device all are inherently present in the device structure (computer) of Chang since they all are necessary components of any computer. The vertical mount (wall mount) is also inherently present, since the computer (30) is hanging on the wall as shown on Fig. (4A and 4B). The method steps of claims 46-50 are inherently necessitated by the device structure as taught by Chang.

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Regarding the Applicant's arguments related to the Chang ('817) reference, the argument addressed to Chang's Fig. (1A-2C). The Examiner would like to direct the Applicant's attention to the fact that in the body of the rejection (see paragraph 4 of the final Office action mailed on 05/18/04) Fig. 3A, 3B, 4A, and 4B have also been cited. These figures show that the display (36) is fixedly secured to the housing (30) and clearly anticipate claims 1-10, 12-17, 20-31, 33-42, 44-46, 48, and 50 of the instant application.

Office Action mailed October 4, 2004, pp. 4 and 7. Applicant respectfully disagrees with the Examiners contentions and assertions. Furthermore, Applicant respectfully asserts that Chang does not anticipate independent claims 1, 21, 37, and 46.

Amended Independent Claim 1 and the Claims Depending Therefrom

As quoted above, amended independent claim 1 recites, *inter alia*, “a display immovably secured to the housing.” (Emphasis added.) Respectfully, Applicant asserts that, at a minimum, the Chang reference does not disclose these features.

In contrast to the instant claim, each and every embodiment of the Chang device presents a display that is movably secured to a base structure. *See generally* Chang, Figs. 1A-4B. Indeed, Chang is titled “COMPUTER APPARATUS HAVING A MOVABLE LIQUID CRYSTAL DISPLAY.” *Id.* at Title (emphasis added). Furthermore, Chang states that “[i]t is a primary object of the present invention to provide a computer apparatus having a moveable LCD.” *Id.* at col. 1, ll. 57-58 (emphasis added).

Regarding the embodiments illustrated in Figs. 1A-1C, Chang discloses a computer 100 having a moveable liquid crystal display (LCD) 16. *See* Chang, col. 1, ll. 5-9. More specifically, Chang discloses a computer 100 having a main computer portion 10 and an LCD 16 that is moveably attached to the main portion 10 via a mechanical slipping apparatus 19. *See id.* at col. 2, l. 45 to col. 3, l. 7. Undeniably, these embodiments of Chang do not disclose an immovably secured display.

Furthermore, the embodiments illustrated in FIGS. 3A-4B of Chang also disclose a computer having a movable display. In Chang, FIGS. 4A and 4B are side views of FIGS 3A and 3B, respectively. *See* Chang, col. 2, ll. 34-45. Moreover, these figures illustrate that same computer in two different configurations: the exposed keyboard and unexposed keyboard configurations. *See id.* To transition the Chang device between

these configurations, a user would move “movable LCD 36” vertically up or down. *See id.* at col. 4, ll. 20-35. And to facilitate this transition, the Chang device includes a moving apparatus 34 that is set between the main computer 30 and the movable LCD 36. *See id.* at col. 4, ll. 16-19.

Therefore, Applicant respectfully asserts that Chang does not anticipate amended independent claim 1 and its respective dependent claims 2-10 and 13-20. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 1-10 and 13-20.

Independent Claim 21 and the Claims Depending Therefrom

As quoted above, amended independent claim 21 recites, *inter alia*, “a personal computer, comprising...a housing comprising a display, a plurality of computing devices disposed in the housing.” (Emphasis added.) Applicant respectfully asserts that Chang does not disclose these features.

Again, the Examiner must consider not only the elements recited in a claim but must also consider the structural relationships between the elements when presenting an anticipation rejection. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, claim 21 cannot be anticipated without presenting a reference in which a personal computer comprises a housing that, in turn, comprises a display, a plurality of computing components disposed in the housing, and an upright surface mount, as is recited in claim 21.

In stark contrast to claim 21, Chang discloses a main computer portion 10, which includes various components, such as a CD-ROM 14, that is separate from the LCD 16. *See Chang*, FIG. 1. That is, Chang discloses a first structure, which includes a display, that is separate from a second structure, which includes the various computer

components. Accordingly, Chang does not disclose a single housing that comprises a display and that comprises a plurality of computing devices disposed in the housing, as recited in the instant claim. Again, Chang, in contrast to the subject matter of the instant claim, discloses a computer having two separate housings: one for the display and one for the computer components. Indeed, this divorced construction is also present in the Chang devices illustrated in FIGS. 3A-4B, as the display 36 is separated from the main computer 30. *See id.* at col. 4, ll. 10-20.

Therefore, Applicant respectfully asserts that Chang does not anticipate independent claim 21 and its respective dependent claims 22-36. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 21-36.

Amended Independent Claim 37 and the Claims Depending Therefrom

As quoted above, amended independent claim 37 recites, *inter alia*, “a display screen disposed *in the volume*” and “a plurality of computing components disposed *in the volume*.” (Emphasis added.) Applicant respectfully asserts that, at a minimum, Chang reference does not disclose these features.

As discussed above, Chang discloses a first housing, which includes a display, that is separate from a second housing, which includes the various computer components. Accordingly, Chang does not disclose a computer enclosure defining a volume in which a display and a plurality of computer components are both disposed. Rather, in contrast to the subject matter of the instant claim, Chang discloses a computer having two separate volumes: one for the display and one for the computer components.

Therefore, Applicant respectfully asserts that Chang does not anticipate independent claim 37 and its respective dependent claims 38-45. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Independent Claim 46 and the Claims Depending Therefrom

As quoted above, amended independent claim 46 recites, “integrating a display assembly with a plurality of computing components in a panel enclosure of a personal computer, such that the panel enclosure includes a vertical surface mount.” (Emphasis added.) Applicant respectfully asserts that, at a minimum, Chang does not disclose all of these recited features.

As discussed above, Chang discloses a first housing, which includes a display, that is separate from a second housing, which includes the main computer components. Accordingly, Chang does not disclose integrating a display assembly with computing components *in a panel enclosure* as recited in the instant claim. Rather, in contrast to the subject matter of the instant claim, Chang discloses a device in which the display and computing components are separated from one another.

Therefore, Applicant respectfully asserts that Chang does not anticipate independent claim 46 and its respective dependent claims 48 and 50. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 46, 48, and 50.

Third Rejection Under Section 102

In the Office Action, the Examiner rejected claims 1-10, 12-17, 20-31, 33-42, 44-46, 48, and 50 under 35 U.S.C. § 102(b) as anticipated by the Wicks reference (U.S. Patent No. 5,673,169; hereinafter “Wicks”). In rejecting these claims, the Examiner stated:

Wicks disclosed (Fig. 6) an identical wall mounted computer (a space saving system) as recited in the claims, including receptacle (34) for modular component (24) and an angle adjustment assembly (20) for a display (12). Also

a processor, a motherboard, a port, a software, and a data storage device all are inherently present in the device structure (computer) of Wicks since they all are necessary components of any computer. The vertical mount (wall mount) (64) is also present on Fig. 6.

Office Action mailed October 04, 2004, pp. 4-5. Applicant respectfully disagrees with the Examiners contentions and assertions. Furthermore, Applicant respectfully asserts that Wicks does not anticipate independent claims 1, 21, 37, and 46.

Amended Independent Claim 1 and the Claims Depending Therefrom

As quoted above, amended independent claim 1 recites, *inter alia*, “a display immovably secured to the housing.” (Emphasis added.) Respectfully, Applicant asserts that, at a minimum, Wicks does not disclose these features.

Rather, Wicks discloses a display 12 that is rotatably mounted to the base 16 and, as such, is not immovably secured. See Wicks, FIG. 6. The Wicks system includes a small capacity computer 14 that is located within a housing 16. See *id.* at col. 3, ll. 5-10. Furthermore, the Wicks device includes a viewing device 12 that is rotatably attached to the housing 16. See *id.* Accordingly, the Wicks device is wholly antithetical to the claimed subject matter and, as such, does not disclose all of the features recited in independent claim 1.

Therefore, Applicant respectfully asserts that Wicks does not anticipate independent claim 1 and its respective dependent claims 2-10 and 13-20. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 1-10 and 13-20.

Independent Claim 21 and the Claims Depending Therefrom

As quoted above, independent claim 21 recites, *inter alia*, “a personal computer, comprising...a housing comprising a display, a plurality of computing devices disposed in the housing.” (Emphasis added.) Applicant respectfully asserts that, at a minimum, Wicks does not disclose these features.

Again, the Examiner must consider not only the elements recited in a claim but must also consider the structural relationships between the elements when presenting an anticipation rejection. See *Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. at 486 (Fed. Cir. 1984). Accordingly, claim 21 cannot be anticipated without presenting a reference in which a personal computer comprises a housing that, in turn, comprises a display, a plurality of computing components disposed in the housing, and an upright surface mount, as is recited in claim 21.

In stark contrast to claim 21, Wicks discloses a computer 14 that is disposed in one housing 16 and a display 12 that is disposed in a separate structure. See Wicks, FIG. 6, col. 3, ll. 1-15. That is, Wicks discloses a first structure, which includes a display 12, that is separate from a second structure 16, which includes the various computer components 14. Accordingly, Wicks does not disclose a single housing that comprises a display *and* that comprises a plurality of computing devices, as recited in the instant claim. Again, Wicks, in contrast to the subject matter of the instant claim, discloses a computer having two divorced housings: one for the display and one for the computer components.

Therefore, Applicant respectfully asserts that Wicks does not anticipate independent claim 21 and its respective dependent claims 22-36. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 21-36.

Amended Independent Claim 37 and the Claims Depending Therefrom

As quoted above, amended independent claim 37 recites, *inter alia*, “a display screen disposed *in the volume*” and “a plurality of computing components disposed *in the volume*.” (Emphasis added.) Applicant respectfully asserts that, at a minimum, Wicks does not disclose these features.

As discussed above, Wicks discloses a first housing, which includes a display, that is separate from a second housing, which includes the various computer components. Accordingly, Wicks does not disclose a computer enclosure defining a volume in which a display and a plurality of computer components are both disposed. Rather, and in contrast to the subject matter of the instant claim, Wicks discloses a computer having two separate volumes: one for the display and one for the computer components.

Therefore, Applicant respectfully asserts that Wicks does not anticipate independent claim 37 and its respective dependent claims 38-45. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Independent Claim 46 and the Claims Depending Therefrom

As quoted above, amended independent claim 46 recites, “integrating *a display assembly with a plurality of computing components in a panel enclosure of a personal computer*, such that the panel enclosure includes a vertical surface mount.” (Emphasis added.) Applicant respectfully asserts that, at a minimum, Wicks does not disclose all of these recited features.

As discussed above, Wicks discloses a first housing, which includes a display, that is separate from a second housing, which includes the computer. Accordingly, Wicks does not disclose integrating a display assembly with computing components *in a panel enclosure* as recited in the instant claim. Rather, in contrast to the subject matter of

the instant claim, Wicks discloses a device in which the display and computing components are *separated* from one another.

Therefore, Applicant respectfully asserts that Wicks does not anticipate independent claim 46 and its respective dependent claims 48 and 50. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 46, 48, and 50.

Fourth Rejection Under Section 102

In the Office Action, the Examiner rejected claims 1-10, 13-17, 20-31, 33-42, 44-46, 48 and 50 under 35. U.S.C. § 102(b) as anticipated by the Armitage et al. reference (U.S. Patent No. 6,282,082; hereinafter "Armitage") In rejecting these claims, the Examiner stated that:

Armitage disclosed (Fig. 18A-18C) a wall mounted computer (a space saving system) as recited in the claims, including receptacles (1802, 1804) for modular computer components (1806, 1818) and an angle adjustment assembly (1812)) for a display. Also, a processor, a motherboard, a port, a software, and a data storage device are all inherently present in the device structure (computer) of Armitage since they all are necessary components of any computer. The vertical mount (a cabinet) is also shown on Fig. 18A. The method steps of claims 46, 48, and 50 are inherently necessitated by the device structure as taught by Armitage.

Office Action mailed October 4, 2004, p. 5. Applicant respectfully disagrees with the Examiners contentions and assertions. Furthermore, Applicant respectfully asserts that Armitage does not anticipate independent claims 1, 21, 37, and 46.

Independent Claims 1, 21, 37, and 46 and the Claims Depending Therefrom

In various forms and permutations, independent claims 1, 21, 37, and 46 each recites a structure for mounting to a vertical surface. Specifically, each of the foregoing claims recites as follows:

Claim 1: “a mount structure to mount the housing on a substantially vertical surface;”

Claim 21: “an upright surface mount configured to mount the housing to a substantially upright surface;”

Claim 37: “a surface mount configured to mount the computer enclosure to a wall,” and

Claim 46: “the panel enclosure includes a vertical surface mount.”

(Emphasis added.) Applicant respectfully asserts that, at a minimum, Armitage does not disclose all of these recited features.

In contrast to the above-quoted subject matter, Armitage discloses an assembly for mounting to a horizontal surface, such as the underside of a kitchen cabinet. *See generally* Armitage, FIGS. 18A-18C. The Armitage device includes a base unit 1800 that may be suspended below a “substantially horizontal surface.” *See id.* at col. 14, ll. 62-63. However, in no way does Armitage teach or suggest that this base unit 1800 can be mounted to a vertical surface. Indeed, mounting the base unit 1800 of Armitage device to a vertical surface would render the Armitage completely unusable.

Accordingly, Applicant respectfully asserts that Armitage does not anticipate independent claims 1, 21, 37, and 46 and their respective dependent claims. In view of the foregoing, Applicant respectfully requests reconsideration and allowance of the instant claims.

Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected dependent claims 19 and 43 under 35 U.S.C. § 103(a) as obvious in view of Hill, Wick, Armitage, or Chang and the Lochridge reference (U.S. Patent No. 5,610,798). Additionally, the Examiner rejected dependent claims 18 and 32 as obvious in view of, Hill, Wicks Armitage, or Chang and the Goodrich reference (U.S. Patent No. 5,375,076). Applicant, however, respectfully asserts that the instant claims, as pending, are patentable over the cited references taken alone or in combination.

As discussed above, Hill, Wicks, Armitage, and Chang do not disclose all of the features recited in the respective independent claims from which the instant claims depend. Moreover, the additional references cited by the Examiner (i.e., the Goodrich and Lochridge references) do not obviate the deficiencies of Hill, Chang, Wicks, and Armitage as discussed above. Accordingly, Applicant respectfully asserts that dependent claims 18, 19, 32, and 43 are patentable not only for their respective dependencies on allowable base claims, but also by virtue of the additional features recited therein.

For example, both dependent claims 19 and 43 recite, in a general sense, a housing having a mounting structure, wherein the mounting structure comprises keyhole slots. The Examiner concedes that neither Hill, Chang, Armitage, nor Wicks discloses this feature. And the Examiner relies on Lochridge to obviate this deficiency. Applicant, however, respectfully asserts that Lochridge is also deficient.

In contrast to the subject matter of claims 19 and 43, Lochridge teaches the use of *independent* angle bars 40 that are, in turn, used with the housing 10 to mount the Lochridge device. *See* Lochridge, col. 4, l. 63 to col. 5, l. 2. Indeed, one of ordinary skill in the art would appreciate that the angle bars 40 of Lochridge are not parts of a computer enclosure or housing. Rather, these angle bars 40 are *independent* elements.

Therefore, Applicant respectfully request reconsideration and allowance of the instant claims.

New Claims 52 and 53

Applicant respectfully asserts that new dependent claims 52 and 53 are patentable and in condition for allowance. Claims 52 and 53 are dependent from claims 21 and 37, respectively, and are allowable for this reason. Moreover, claims 52 and 53 are patentable by virtue of the features recited therein. Accordingly, Applicant respectfully requests allowance of these claims.

Conclusion

Applicant respectfully submits that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Date: January 4, 2005



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